

S/N: 10/662,500
Amendment

Atty Dkt. No. 67102-013

Remarks

Claims 14-17, 20-22, 25-27, 31 and 32 are rejected as anticipated by Ning (US 6,480,565). Claim 14 has been amended to clarify that the x-ray source and the x-ray detector are mounted to the gantry vertically downward of the cross bar. Claim 25 has been amended to recite that the source and detector are below the cross bar. There is no cross bar in Ning from which the source and detector can be vertically downward. The source and detector of Ning must extend upward from the gantry so that the breast can be imaged while being extended downward through a hole in the table (e.g. Figure 2F). An alternative embodiment (shown in Figure 2E) permits the breast to be imaged while the patient is vertical. Neither of these embodiments shows a source and detector extending downward from a cross bar of a gantry. Nor could a breast be imaged in either of the positions shown in Ning with the claimed configuration. Therefore, claims 14 and 25 are patentable over Ning.

Claim 21 recites that the computer that is mounted to the gantry controls the rotation of the gantry relative to the mount by the motor. The Examiner assumes that the gantry control 324 in Ning controls rotation of the gantry relative to the mount. However, in Figure 2C, the motor 212 that rotates the gantry is clearly not mounted on the gantry, while the motor 216 that moves the detector 208 is mounted on the gantry. Therefore, it is more likely that the gantry control 324 only controls the movement of the detector 208, not the motor 212 that is not mounted on the gantry. This also makes sense. The CT scanner of Ning is not intended to be small, portable or easy to install, but a more conventionally large, permanent fixture. There is no need for the added complexity and

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weight of putting the motor 212 that rotates the gantry on the gantry itself in Ning. Therefore, claim 21 is not anticipated by Ning.

The Examiner has rejected claims 1-13, 18, 19, 23, 24 and 28-30 as obvious over Ning. As indicated above, the motor 212 of Ning is clearly not mounted on the gantry as recited in claim 1. For the reasons also indicated above, it would not be obvious to move the motor 212 of Ning onto the gantry. Therefore claims 1-13 are not obvious.

Additionally, claim 4 recites that the motor imparts translational movement of the gantry. In Ning, translation movement of the gantry is provided by a separate motor 214, not the same motor 212 that rotates the gantry. Therefore, claim 4 is independently patentable.

There is no suggestion or motivation in Ning or elsewhere for modifying Ning so that the on-board computer creates the three-dimensional model based upon the images from the detector. There is no indication in Ning or elsewhere that doing so would "shorten processing time by eliminating data transfer," which is the Examiner's proposed motivation. In fact, since wireless transmission of data is normally slower than wired transmission of data, this proposed motivation would fail with respect to claims 19, 24 and 30 in particular. Because the CT gantry of the invention of claim 18 (for example) is intended to be a self-contained, small, easily transportable and installable CT system that could be used with any desktop computer, the algorithms for creating the three-dimensional model are implemented on-board the gantry. But there is no such desire or arrangement in Ning, where the on-board computer and the host computer are both customized, dedicated computers. There is no motivation or suggestion for moving the

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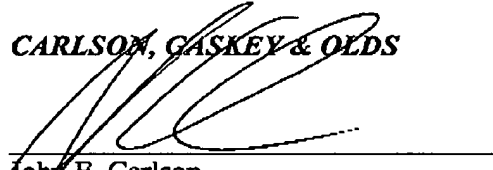
image processing algorithms to the on-board computer in Ning. Therefore, claims 10 and 18 are independently patentable.

Although the Examiner argues that the wireless transmission of images is notorious in general, the Examiner does not cite a reference showing the wireless transmission of images in a CT system. Normally, in a CT scanner wireless transmission of images would be completely unnecessary. In Ning, for example, there is a dedicated connection from the gantry to the host computer for transmitting data. The CT system of the present invention is intended to be easily transportable and easily installed. The wireless communication of the data from the gantry greatly facilitates installation and transport. There is no suggestion or motivation or need for adding wireless communication to the Ning CT system. Therefore, claims 19, 24 and 30 are independently patentable.

Please charge Deposit Account No. 50-1984 \$175 for seven additional claims in excess of twenty. If any fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Respectfully submitted,

CARLSON, GASKEY & OLDS



John E. Carlson
Registration No. 37,794
400 W. Maple, Suite 350
Birmingham, MI 48009
(248) 988-8360

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